

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

Case No.: 12-34339

Tina Hitsman

Chapter 13  
Debtor.

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**ORDER GRANTING MOTION**  
**AVOIDING LIEN ON DEBTORS' RESIDENCE**

Upon consideration of the Debtors' Motion to Avoid a Judicial Lien, and the pleadings and documents filed in the case, and good cause being shown therefor, it is

**ORDERED:**

1. This Court has subject matter jurisdiction based upon 11 U.S.C. § 522(f).
2. Judgment Lien Creditor, BANK OF AMERICA was properly served and this Court has personal jurisdiction over all Parties.
3. The Motion to Avoid the Judicial Lien is hereby granted.
4. Debtors are the owners of certain real property and improvements thereon known as 1109 Traywick Court, Chester, VA 23836, ("the real property"), said real property being more particularly described as:

Lot 8, Block D, Section 1, Point of Rocks Estates, Section, Chesterfield County,  
VA

5. On or about 5/7/2009 BANK OF AMERICA obtained a judicial lien against the Debtor in the amount of \$ 6,825.83 with interest at 6.0 % from 6/15/2009 costs of \$53.00 and Attorney fees of \$0.00.

6. Said lien was entered of record in the Clerk's Office for the Circuit Court of the Chesterfield County, VA on 6/15/2009 as Instrument No. 006361, JD 0270, page 0914.
7. Debtor has no equity in the aforesaid described real estate.
8. The above described lien is wholly unsecured and is hereby voided.
9. The lien avoidance decreed by this order shall be effective upon receipt by the Debtors of a discharge under 11 U.S.C. § 1328(a) after successful completion of their Chapter 13 Plan, and shall extinguish automatically, without further court order, upon entry of the Debtor's discharge in the Chapter 13 case.
10. The claim of BANK OF AMERICA shall be allowed in full as an unsecured claim and treated as such under the debtors Chapter 13 Plan.

**IT IS FURTHER ORDERED** that BANK OF AMERICA shall release the lien within thirty (30) days from Notice of entry of Debtor's Discharge. Debtor may record this Order and the Discharge, upon entry, with the Clerk of the Circuit Court for the County of Chesterfield, VA, which recording shall void the lien of the judicial judgment recorded as aforesaid.

The Clerk will mail a copy of this Order to the parties listed below.

Date: \_\_\_\_\_  
Honorable Kevin R. Huennekens  
United States Bankruptcy Judge

Notice of Judgment or Order entered on docket: \_\_\_\_\_

I ASK FOR THIS:

/s/ Linda D. Jennings

Linda D. Jennings VSB#19455  
*Counsel for Debtor/Plaintiff*  
THE AMERICA LAW GROUP, INC.  
T/A THE DEBT LAW GROUP

2312 Boulevard

Colonial Heights, VA 23834

(804) 506-0177

(804) 201-4707

Local Rule 9022-1(C) Certification

The foregoing order was endorsed by and/or served on all necessary parties pursuant to Local Rule 9022-1(C).

/s/ Linda D. Jennings

Linda D. Jennings

Robert E. Hyman, Chapter 13 Trustee,

P. O. Box 1780

Richmond, VA 23219-1780

BANK OF AMERICA, N.A

c/o Brian T. Moynihan, President

150 N. College Street

Charlotte, NC 28255

BANK OF AMERICA, N.A.

c/o CT CORPORATION SYSTEM, Registered Agent

4701 Cox Road, Suite 301

Glen Allen, VA 23227

FIA Card Services, successor in interest to Bank of America, N.A.

and MBNA America Bank, N.A.

4161 Piedmont Parkway

Greensboro, NC 27410

Glasser and Glasser, P.L.C.

600 Dominion Tower

999 Waterside Drive

Norfolk, VA 23510

Tina Hitsman

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